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Attorneys for Kelly Burt-Deasy

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

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In re:	Chapter 11
BED BATH & BEYOND INC., et al.	Case No. 23-13359 (VFP)
Debtor.	(Joint Administration Requested)
	Hearing Date: August 15, 2023 at 2:30 p.m.

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**NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

**PLEASE TAKE NOTICE** that Creditor Kelly Burt-Deasy ("Creditor" or "Movant") will move before the Honorable Vincent F. Papalia on August 15, 2023 at 2:30 p.m. or as soon thereafter as counsel may be heard, at the United State Bankruptcy Court, 50 Walnut Street, New Jersey, for entry of an order modifying the automatic stay to allow certain claims to proceed against the Debtor, Bed Bath & Beyond Inc. ("Debtor"), in the California Superior Court proceeding entitled *Kelly Burt-Deasy v. Cost Plus, Inc. a.k.a Cost Plus, a California corporation, et al.*, Case No. RG20078793, County of Alameda ("State Court Action"), to the point of judgment and allocation of liability only with any recovery against Debtor in such proceeding

limited solely to the Debtor's applicable insurance proceeds which are payable by third parties, and waiving any stay pursuant to Fed. R. Bankr. P. 4001(a)(3).

**PLEASE TAKE FURTHER NOTICE** that in support of the Motion, the undersigned shall rely upon the Motion for Relief from Stay and Memorandum of Law in Support (“Motion”), which sets forth the relevant factual and legal bases upon which the relief requested should be granted, and the Certification of Robert S. Jaret, Esq. in Support of Motion for Relief From Stay, with exhibits annexed thereto. A proposed order granting the relief requested in the Motion is also being submitted.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief requested, or if you want the court to consider your views on the Motion, then on or before August 8, 2023, you or your attorney must:

File with the court an answer, explaining your position, at:

Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Lauren R. Jacoby, Esquire  
Hooten & Jacoby LLP  
17 Snyder Avenue  
Toms River, NJ 08753

**PLEASE TAKE FURTHER NOTICE** that unless objections are timely presented, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief

requested may be granted without a hearing.

Respectfully submitted,

By: /s/ Lauren R. Jacoby  
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